

**FOLEY  
HOAG**  
ATTORNEYS AT LAW

✓ Section \$  
AA Box 564



October 4, 2001

James T. Olesen, Ph.D.  
Boston Office  
617.832.1764  
jto@foleyhoag.com

Box Missing Parts  
Assistant Commissioner of Patents  
Washington, DC 20231

Re: U.S. Patent Application No: 09/800,187  
Entitled: *Class II Human Histone Deacetylases, and Uses Related  
Thereeto*  
Filed: March 5, 2001  
By: Grozinger et al.  
Atty Ref: HUV-037.01

Dear Sir:

Enclosed for filing in the above-referenced patent application please find the following:

1. A copy of Notice to File Missing Parts of Nonprovisional Application;
2. Response to Notice to File Missing Parts;
3. Fee Transmittal;
4. Check in the amount of \$3848.00 for filing and surcharge fees;
5. Executed Declaration for Patent Application (2 pages);
6. Substitute drawings (Figures 1 - 17);
7. Paper and electronic copy of Sequence Listing;
8. Statement to Support Filing and Submission in Accordance with 37 C.F.R. § § 1.821-1.825;
9. Petition for Two-Month Extension of Time;
10. Check in the amount of \$200.00 for extension of time; and
11. Return receipt postcard.

The Commissioner is hereby authorized to charge any under-payments or credit any over-payments to our Deposit Account No. 06-1448.

20/474796.1

USSN 09/800,187

October 3, 2001

Page 2

**Certificate of First Class Mailing**

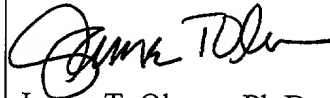
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, DC 20231 on the date set forth below:

October 3, 2001

Date

  
P. ALEX ABEL

Respectfully submitted,  
FOLEY, HOAG & ELIOT LLP



James T. Olesen, Ph.D.

Reg. No. 46,967

Agent for Applicants

Customer ID No. 25181

FOOT 2800860

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

## Complete if Known

Application Number 09/800,187  
Filing Date 3/5/01  
First Named Inventor Grozinger et al.  
Examiner Name To be assigned  
Group / Art Unit 1645  
Attorney Docket No. HUV-037.01

TOTAL AMOUNT OF PAYMENT (\$) 4048

## METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

06-1448

Deposit  
Account  
Name

Foley, Hoag & Eliot, LLP

X Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17  
X Applicant claims small entity status.  
See 37 CFR 1.27

2. X Payment Enclosed:

X Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	370
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

(\$370)

### 2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
239	34		219	9	1971
			31	42	1302
				140	140

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$) 3413

\*\*or number previously paid, if greater, For Reissues, see above

## FEE CALCULATION (continued)

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	200
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$) 265

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	James T. Olesen	Registration No. Attorney/Agent)	46,967	Telephone	617-832-1000
Signature				Date	10/4/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/800,187	03/05/2001	Christina M. Grozinger	HUV-037.01

CONFIRMATION NO. 3390

## FORMALITIES LETTER



\*OC000000006144841\*

PATENT GROUP  
FOLEY, HOAG & ELIOT LLP  
ONE POST OFFICE SQUARE  
BOSTON, MA 02109-2170

Date Mailed: 06/04/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/11/2001 HTECKLUM 00000071 09800187

## FILED UNDER 37 CFR 1.53(b)

01 FC	370.00	OP
02 FC	1971.00	OP
03 FC	1302.00	OP
04 FC	140.00	OP
05 FC	65.00	OP

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$3346.
  - \$1971 for 219 total claims over 20.
  - \$1240 for 31 independent claims over 3 .
  - \$135 for multiple dependent claim surcharge.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 3766.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

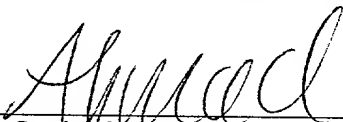
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

70600T "308-1202"




IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Grozinger et al.	Examiner: To be assigned
Serial No: 09/800,187	Art Unit: 1645
Filed: March 5, 2001	Attorney Docket No. HUV-037.01
For: <i>Class II Human Histone Deacetylases, and Uses Related Thereto</i>	

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231, on October 4, 2001.

  
P. ALEX ABEL

RESPONSE TO NOTICE TO FILE MISSING PARTS

Dear Sir:

Enclosed herewith is a response to the Notice to File Missing Parts dated June 4, 2001. In response to the Notice, enclosed is a check in the amount of \$3848.00 (which includes a small entity filing fee of \$370.00, a surcharge of \$65.00, a total claims surcharge of \$1971.00, an independent claims surcharge of \$1302.00, and a multiple dependent claim surcharge of \$140.00). This response also includes the requested executed Declaration, Substitute Drawings, and Sequence Listing with supporting Statement.

As the Response to the Notice to File Missing Parts was due on August 4, 2001, the Applicant encloses a Petition for Two-Month Extension of Time and corresponding extension fee. If there is any further fee due, or if any refund is owed, please charge/credit our Deposit Account No. 06-1448.

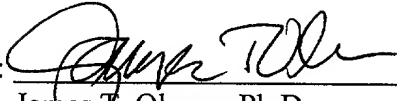
20/474757.1

11/19/2001 BNGUYEN1 00000001 061448 09800187

01 FC:203

9.00 CH

Respectfully submitted,

By:   
James T. Olesen, Ph.D.  
Reg. No. 46,967  
Agent for Applicants

Patent Group  
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Boston, MA 02109-2170  
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Facsimile: (617) 832-7000  
Customer ID No. 25181

Dated: October 4, 2001

09800187 100901  
FOLEY, HOAG & ELIOT, LLP